

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

VAN JENKINS,

Plaintiff,  
v.  
Civil No. 19-cv-10738  
Hon. Matthew F. Leitman

ACCESS SECUREPAK, CO., *et al.*,

Defendants.

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**ORDER DENYING IN PART AND TERMINATING AS MOOT IN PART**  
**PLAINTIFF'S MOTION FOR A COURT ORDER (ECF No. 40.)**

Plaintiff Van Jenkins is a state inmate in the custody of the Michigan Department of Corrections. In this action, Jenkins appears to allege that the Defendants retaliated against him and/or interfered with his prison mail in response to his filing certain complaints against them. (*See* Sec. Am. Compl., ECF No. 29.)

On April 12, 2022, Jenkins filed a motion in which he asks the Court to enter an order granting him certain relief. (*See* Mot., ECF No. 40.) The motion is difficult to follow, but it appears that Jenkins wants the Court to (1) direct the United States Marshals Service to serve his Second Amended Complaint on the Defendants, (2) order the Defendants to respond to the Complaint, and (3) order Defendants to “testify in open court.” (*Id.*)

To the extent that Jenkins asks the Court to direct the Marshals Service to serve the Complaint and order Defendants to respond to the Complaint, the motion

is **TERMINATED AS MOOT**. The Marshals Service has already begun the process of serving Jenkins' Second Amended Complaint on the Defendants. (*See Acknowledgment*, ECF No. 44.) Thus, the Court need not direct that the Marshals Service serve the Defendants. Once service of process is effectuated, Defendants shall answer or otherwise respond to the Second Amended Complaint in the time frame set forth in the Federal Rules of Civil Procedure.

To the extent that Jenkins asks the Court to order Defendants to "testify in open court," the motion is **DENIED**. Jenkins has not shown an entitlement to such relief. Nor has he sufficiently explained the legal basis for his request. If or when the Court enters a scheduling order in this case, Jenkins may direct discovery requests to the Defendants in compliance with the Federal Rules of Civil Procedure.

**IT IS SO ORDERED.**

s/Matthew F. Leitman

MATTHEW F. LEITMAN

UNITED STATES DISTRICT JUDGE

Dated: August 18, 2022

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on August 18, 2022, by electronic means and/or ordinary mail.

s/Holly A. Ryan

Case Manager

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